United Nations CEDAW/C/UGA/CO/7/Add.1

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
22 March 2018

Original: English
English, French and Spanish only

Committee on the Elimination of Discrimination against Women

Concluding observations on the seventh periodic report of Uganda

Addendum

Information provided by Uganda in follow-up to the concluding observations*

[Date received: 9 March 2018]

* The present document is being issued without formal editing.

18-04478 (E) 270318

Please recycle

Discriminatory laws

1. **The Committee calls upon the State party to accelerate its law review process to harmonize its domestic legislation with its constitutional principles relating to non-discrimination and equality between women and men and with its obligations under the Convention without delay and within a clear time frame. To this end, the Committee urges the State party to (see CEDAW/C/UGA/CO/7, para 12 (a)–(c)).**

Expeditiously enact the Marriage and Divorce Bill, the Sexual Offences Bill and the HIV/AIDS Prevention and Control Bill (para 12 (a))

Marriage and Divorce Bill

2. The Marriage and Divorce Bill 2009 is still before the 9th Parliament. The Legal and Parliamentary Affairs Committee submitted its Report on the Bill in January 2013 and the Bill was included on the Business Order Paper of Parliament. For two weeks in March 2013 Parliament reviewed the Committee's Report on the Bill and also reviewed the Bill clause by clause. After considering 22 of the 178 clauses that make up the Bill, it was realized that further consultations were needed on the Bill.

3. The Government remains committed to complete the review process on the Marriage and Divorce Bill as soon as the Bill is rescheduled for debate and enactment by Parliament.

Status of the Sexual Offences Bill

4. In 2010, laws on Domestic Violence and the Prevention of Female Genital Mutilation were enacted. The amendments to the existing laws as well as the enactment of the two legislations covered most of the provisions which were intended in the Sexual Offences (Miscellaneous Amendment) Bill 2000.

5. The Government has made other reform proposals to address the gaps in the law relating to sexual offences. Hence there are five separate Bills each seeking to amend an existing substantive Act.

6. The Government intends to expedite the process of drafting the five smaller amendment bills to the existing laws to address the gaps in the law relating to sexual offences. The Bills will soon be submitted to Parliament and will be prioritized for enactment within the term of office of the 9th Parliament.

HIV/AIDS Prevention and Control Bill 2010

7. Generally health practitioners, political leaders, human rights advocates and PLHA agree that there is need for a law enacted in Uganda to guide and support the management of the National HIV/AIDS response.

8. It is within this context that on May 13th, 2014, Parliament passed the HIV and AIDS Prevention and Control Bill 2010. It is now the HIV and AIDS Prevention and Control Act 2014. The law is yet to be accented to by the President of the Republic of Uganda before it becomes binding and applicable law. The Act which was initiated a Private Members' Bill during the 8th Parliament is intended to facilitate the implementation of the HIV/AIDS Policy and the Prevention Strategy.

9. In April 2012, East Africa's Legislative Assembly (EALA) passed a regional East African Community HIV and AIDS Prevention and Management Act, that seeks to protect the rights of people living with and those affected by HIV and harmonize regional legislation and policy on the prevention, treatment of HIV and management

of national and regional responses to HIV and AIDS. H. E. President of Uganda assented to the EAC HIV/ AIDS Act in March 2013.

Raise the awareness of legislators about the need to give priority attention to legal reforms in order to achieve de jure equality for women and compliance with the State party's international treaty obligations (para 12 (b))

10. The Ministry of Gender, Labour and Social Development has taken the lead to engage with Parliament on the process of ensuring the enactment of gender responsive legislation including the three Bills mentioned in recommendation 12. The process has involved training sessions, dialogue meetings and discussions conducted over the last three years with Members of Parliament, key stakeholders and community leaders at different levels including religious and cultural leaders on the content of the Bills for the purpose of gathering the views and recommendations of various sections of the public as well as providing a platform to build consensus on some of the contentious provisions in the Bills.

11. During the first session of the 9th Parliament, the Parliamentary Commission in partnership with various development partners and civil society organizations organized induction and several training sessions for all MPs and members of each Parliamentary Committee with the aim of enhancing the legislative capacity of MPs especially the 55% first time legislators. In these trainings gender issues in legislation and parliamentary practice were addressed. This was in line with the requirement in recommendation 12 for Government to raise the awareness of legislators about the need to give priority attention to legal reforms in order to achieve *de jure* equality for women and compliance with the State party's international treaty obligations under CEDAW.

12. Parliamentary Forums like the Uganda Women's Parliamentary Association (UWOPA) and the Uganda Parliamentary Forum on Children together with several partners including the Uganda Women Lawyers' Association (FIDA Uganda); the Coalition on Family Law Reforms in Uganda coordinated by the Uganda Women's Network (UWONET); have worked tirelessly in the last three years to sensitize legislators about the history, purpose and contents of the three bills and the need to prioritize their enactment.

13. The Uganda Women's Parliamentarians Association (UWOPA) organized a series of trainings, dialogues and consultative meetings for the female MPs and the male gender advocates within the 9th Parliament. UWOPA has been instrumental in facilitating collective strategizing on the legislative agenda that is beneficial to women in Uganda. UWOPA facilitates mentoring process by bringing together seasoned female politicians and the newly elected ones in order to build bridges for effective engagement in the legislative processes on issues of common concern and interest. UWOPA's Strategic Plan adopted in 2011 prioritized the pursuit of the enactment of the Marriage and Divorce Bill and review of laws relating to sexual offences.

Continue to increase support for law reform through partnerships and collaboration with religious and community leaders, lawyers, judges, unions, civil society organizations and women's non-governmental organizations (para 12 (c))

14. The Government in the last three years has undertaken extensive consultations with Faith based and cultural leaders, judges, lawyers, academicians and civil society actors in the processes of law reform in relation to the three Bills.

15. Different stakeholders have been involved in the Parliamentary consultation processes on the Marriage and Divorce Bill facilitated by the Legal and Parliamentary

Affairs Committee. These include the Uganda Law Reform Commission, the Uganda Human Rights Commission, the Equal Opportunities Commission, Faith Based Organizations like Uganda Joint Christian Council (UJCC) and Inter-Religious Council of Uganda (IRCU), the Uganda Law Society and various Civil Society organizations including women's advocacy groups, and mainstream human rights organizations.

16. The religious community through the initiative of the Inter-Religious Council of Uganda (IRCU) and Uganda Joint Christian Council (UJCC) have on an annual basis interacted with MPs in the 9th Parliament in the last 2 years through breakfast fellowship meetings and participation in Parliamentary Committee sessions to share their views on various Bills including the Marriage and Divorce Bill, the HIV/AIDS Prevention and Control Bill, the Anti-Corruption (Amendment) Bill, the Oil Governance Bills and the Public Management and Order Bill, among others.

17. CSOs particularly women's organizations have been very active in this space to support the legislative process by providing well researched policy briefs, position papers on the gender-responsive Bills and assisting MPs to undertake research in their constituencies.

18. Plan Uganda and the National CSOs Coalition on the HIV/AIDS Bill have worked tirelessly in the last three years to sensitize legislators about the history, purpose and contents of the three bills and the need to prioritize their enactment.

Education

19. **The Committee urges the State party to enhance its compliance with article 10 of the Convention and to raise awareness of the importance of education as a human right and the basis for the empowerment of women. To this end, it urges the State party to take the necessary measures to ensure safe transportation to and from schools and safe educational environments free from discrimination and violence, strengthen awareness-raising and training of school officials and students, sensitization of children through the media and the establishment of reporting and accountability mechanisms to ensure that perpetrators of all sexual offences against schoolgirls are prosecuted (see CEDAW/C/UGA/CO/7, para 32 (b)).**

Children enjoy and have access to safe transportation to and from schools;

20. The Government policy is to have all children — girls and boys — enrol for primary school at the age of 6 years. Government has distributed guidelines on policy, planning, roles and responsibilities of different stakeholders in the implementation of the UPE (Universal Primary Education) Program. The guidelines mandate parents to ensure protection for their children against harm and abuse while moving to and from school.

21. The Government adopted the education sector guidelines that "no child should walk for more than 4 km to reach school:"

(a) In the last three years, Government has progressively worked towards achieving the policy guideline on minimum distance to ECD Centres and primary schools;

(b) Private investors have been encouraged to establish ECD Centres in all parts of the country so that children are able to go to the Centres closer to where they reside. Through the School Facilitation Grants (SFGs), Government continues to support construction of schools and renovation and expansion of school facilities, (constructing girls' boarding and separate sanitation facilities in selected schools),

with the aim of making schools more accessible to all school-age children. This has contributed to the reduction of distances covered by children to and from school. The SFGs have ensured that school facilities are safe for their health and learning of children.

22. The Government in collaboration with the School Management teams of different primary schools in Northern and Northern Eastern Uganda have worked with non-state actors to provide bursaries for needy children especially girls so that they stay in boarding facilities to avoid travelling long distances to and from school. This strategy is to keep girls safe and increase their retention in upper primary classes so that they complete their basic education.

Children learn in a safe educational environment free from discrimination and violence

23. The Government established the Gender Unit in 2007 within the Ministry of Education and Sports to facilitate the implementation of programs aimed at addressing gender imbalances in the Education Sector. The Gender Unit has reformed the curriculum to make it more gender-sensitive.

24. The measures taken include revising the primary school curriculum to address workload concerns, remove gender stereotypes and ensure relevance of subjects and content. Currently the curriculum is more skills-based as opposed to knowledge-based and illustrations used in the instruction materials are more gender-sensitive.

25. It is Government policy to increase the ratio of female teachers in schools and female head teachers and deputies who can be role models and counsellors for the pupils. This is one of the strategies adopted to support increased girls' retention and improved performance in school as well as securing their safety and access to guidance and counselling.

26. The Government will consider the integration of a course unit on "Gender and child protection against discrimination and violence" in the curriculum for teacher training for all levels (teachers for ECD, primary and secondary education, and for tertiary and higher education).

27. The Government through the MoES will continue to distribute widely the Handbook for "Promoting Positive Discipline in Schools for Quality Education" and closely monitor the implementation and enforcement of rules against use of corporal punishment and other forms of punishments that negatively affect the health and performance of children, and their interest in education.

28. The Girls' Education Movement (GEM) Uganda Chapter was launched in 2011 to accelerate actions aimed at achieving gender parity in education. Through GEM Clubs, girls and boys have been empowered to speak out on issues that affect their education in and out of school and against abuse and discrimination. GEM clubs also target girls with special learning needs including those with disabilities and they involve children, parents and communities in the club activities...GEM collaborates with various response centres and organizations to address issues of violence against girls and boys while in and out of school.

29. Other special programmes like the Complementary Opportunity for Primary Education (COPE) in Karamoja region have been initiated to attend to the unique circumstances that affect girls' education in the Karamoja region. Schools have improved counselling and peer support for girls and boys as a strategy to keep girls in school and protect their safety in and out of school.

Awareness-raising and training of school officials and student on how to create an environment that supports learning for both boys and girls is strengthened

30. The Government established the Gender Unit in 2007 within the Ministry of Education and Sports to facilitate the implementation of programs aimed at addressing gender imbalances in the Education Sector. The Gender Unit has ... trained and re-trained teachers (particularly senior women/men teachers and career teachers) in gender-responsive methodology and practices and monitoring the implementation of the Gender in Education Policy and the NSGE.

31. Training of senior male and female teachers/counsellors to provide support and counselling to students is ongoing. Senior female teachers (SFTs) are the custodians of the school first aid box and ensure that there are sanitary towels and pain killers for girls during their menstrual period. Various materials on HIV/AIDS and life skills have been developed and are available for pupils and teachers.

32. Sexuality education has been introduced in schools and proper guidelines developed for use by the teachers and other mentors/counsellors and health workers involved in delivering the sessions. Appropriateness to gender and level of exposure/risks has been taken into account in designing the materials.

33. Implementing the Equity in the Classroom (EIC) Program to facilitate equal participation of girls and boys in the classroom. The aim of this Programme is to increase girls' classroom participation and completion of a full cycle of primary education. Teachers have been sensitized to change negative attitudes towards girls' education and adopt methods to promote equity in the classroom. The implementation of EIC Program is done through the core primary teacher training colleges (CPTCs) and all the 18 CPTCs have been covered. 446 Coordinating Centre Tutors (CCTs) have been trained and as a result Government has capacity of reaching out to 9,000 (85%) primary schools of Uganda.

34. The Government in the Guidelines to schools requires Head Teachers to organize talks and sensitization sessions through different avenues like school clubs. The GEM initiative has facilitated the establishment of GEM chapters at district level and GEM clubs in primary schools. The aim is to have such clubs in primary and secondary schools in 71 districts by end of 2014.[1] Through the GEM clubs children are empowered to speak out and find viable solutions to issues that affect their lives and education. The clubs also support positive peer influence.

Sensitization of children on their rights through the media is promoted

35. Other Civil Society Organizations like Raising Voices are using the media to sensitize the general public on the right of every child to have violence-free childhood targeting different stakeholders including parents, teachers, community leaders, domestic workers, religious and cultural leaders, health workers and the children. These appear as on television, radios and in the print media in English and several local languages. Radio talk shows on television are also used.

Reporting and accountability mechanisms are established to ensure that perpetrators of all sexual offences against school girls are prosecuted

36. The Government will ensure that teachers, parents and children are exposed to sexuality education appropriate for their age as a strategy for better management of the body changes during the adolescent stage. The information will include among others content on the responsibilities to protect children against sexual abuse and on

[1] GEM — Uganda which was established in 2011 focuses on increasing enrolment, re-entry, retention and completion rates if children especially girls in 71 districts in Uganda.

the law of defilement, incest and indecent assault generally and how it specifically applies to cases involving children.

37. The Government will disseminate Guidelines for Reporting, Response and Referral on cases of violence against children to all teachers, students and parents and these will include information on how to preserve evidence when it is suspected that a girl or boy has been sexually abused.

38. The Teachers' Code of Conduct has been popularized and widely disseminated. The guidelines to schools clearly indicate that Head teachers are expected to put in place mechanisms to popularize the Code and enforce it when there is a case of sexual violence against a girl or boy.

39. The Government will address the human, material and financial resource needs of the Child and Family Protection Unit of the Uganda Police (CFPU) so that the Unit performs its roles effectively across the country including the tracking of reported cases, actions taken and number of cases where justice is done through courts of law and other forms of redress.

40. The Government will continue to engage regularly with cultural and religious leaders to find practical ways of eliminating early and forced marriages from their areas and how to work together with local councillors and law enforcement officers to reduce incidences of sexual violence and strengthen community participation in apprehending perpetrators of defilement against girls in and out of school.